

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JORDAN MARCEL ROMEO HEATH,
Plaintiff,

v.

DEPUTY OVERMYER, et al,
Defendants.

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C.A. No. 13-276 Erie

MEMORANDUM ORDER

This prisoner civil rights action was received by the Clerk of Court on September 9, 2013, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, filed on October 30, 2013, recommended that Plaintiff's motion form protection order [ECF No. 3], which was construed as a motion for temporary restraining order, be denied. Service was made on Plaintiff by mail at SCI Albion, where he is incarcerated. Objections were filed by the Plaintiff on November 19, 2013. The objections again refer to his beliefs and argue that misconducts were improperly issued against him. The nature of these objections do not show any likelihood of success on the merits or irreparable harm. After de novo review of the petition and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 26th Day of November, 2013;

IT IS HEREBY ORDERED that Plaintiff's motion form protection order [ECF No. 3], which was construed as a motion for temporary restraining order, is DENIED.

The report and recommendation of Magistrate Judge Baxter, dated October 30, 2013, is adopted as the opinion of the court.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
Chief United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____